

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
ONEIL-0002US

In Re Application: ONEIL

JAN 13 2005

Application No. 10/663,101	Filing Date June 16, 2003	Examiner Necholus Ogden, Jr.	Customer No. 21302	Group Art Unit 1751	Confirmation No.
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Title: ANTI-MICROBIAL COMPOSITIONS

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☒ A check in the amount of \$180.00 is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. 50-0462 as described below.
- ☐ Charge the amount of
  - ☒ Credit any overpayment.
  - ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No.

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**Certificate of Mailing by First Class Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

January 10, 2005

(Date)

Signature of Person Mailing Correspondence

Carla P. McDuffie

Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

Signature

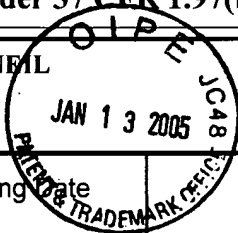
Dated: 1/10/2005

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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
**ONEIL-0002US**

In Re Application Of: **ONEIL**



Application No. <b>10/663,101</b>	Filing Date <b>June 16, 2003</b>	Examiner <b>Necholus Ogden, Jr.</b>	Customer No. <b>21302</b>	Group Art Unit <b>1751</b>	Confirmation No.
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Title: **ANTI-MICROBIAL COMPOSITIONS**

Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

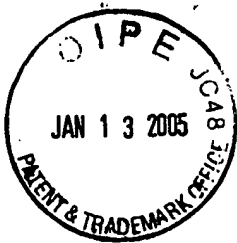
**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

**OR**

☒ the fee set forth in 37 CFR 1.17(p).



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: :  
Deborah O'Neil :  
U.S. Serial No. : Group Art Unit:  
10/663,101 : 1751  
Filing Date: : Examiner:  
June 16, 2003 : Necholus Ogden, Jr.  
For: ANTI-MICROBIAL COMPOSITIONS : Docket No.:  
ONEIL-0002US

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §1.97(c)(1)**

Commissioner for Patents  
Mailstop Amendment  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and 1.97(e)(1), Applicants bring to the attention of the Examiner the document listed on the attached Form PTO 1449 (in duplicate). A check in the amount of \$180.00 is enclosed herewith for the filing of this Information Disclosure Statement. In addition, the Commissioner is authorized to charge Deposit Account No. 50-0462. Moreover, please credit any overpayment to Deposit Account No. 50-0462.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I certify that this document, along with any document referred to as being attached, is being deposited with the U.S. Postal Service as first class mail on **10 January 2005** under 37 C.F.R. §1.8 and is addressed to the Commissioner for Patents, Mailstop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450.

*Carla P. McInnis*  
Name of person signing document

*Carla P. McInnis*  
Signature of person signing document

01/14/2005 FMEK11 00000002 10663101

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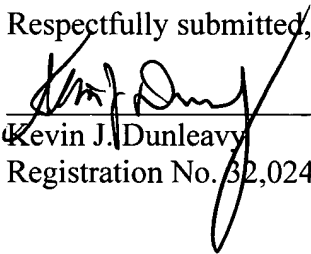
180.00 DP

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Substitute PTO 1449 form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determined that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,

Date: January 10, 2005

  
\_\_\_\_\_  
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FORM PTO-1449 Modified  
Documents Cited by Applicant

U.S. App. No.: 10/663,101

Filed: June 16, 2003

Group: 1751

Applicant: ONEIL

Docket No.: ONEIL-0002US

**STAMP:** JAN 13 2005 3048

Examiner Initial	Item No.	Document No.	Date	Name	Class	Subclass
	1US	3,203,863	August 31, 1965	SAKUMA et al.		
	2US					
	3US					
	4US					
	5US					
	6US					
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EXAMINER:

DATE CONSIDERED:

FORM PTO-1449 Modified

Filing Date: June 16, 2003

List of Patents and Publications Cited by Applicant

Group:1751

U.S. Patent Trademark Office

Applicant:ONEIL

Docket No.:ONEIL-0002US

Examiner Initial	Item No.	Other Documents (Including Author, Title, Date, Location and Pertinent Pages)
	1OD	MINAKATA et al.; Protoanemonin, an antimutagen isolated from plants; Mutat Res., 1983, Mar;116(3-4): 317-22; PMID: 6339898 [PubMed-indexed for MEDLINE].
	2OD	CAPPELLETTI et al., External antirheumatic and antineuralgic herbal remedies in the traditional medicine of north-eastern Italy; J Ethnopharmacol; 1982 Sep;6(2):161-90; PMID: 6982378 [PubMed-indexed for MEDLINE].
	3OD	MARES et al.; Ultrastructural alterations in Epidermophyton floccosum and Trichophyton Mentagrophytes exposed in vitro in protoanemonin; Cytobios. 1990;61(245):89-95; PMID: 2373022 [PubMed-indexed for MEDLINE].
	4OD	MARES, D.; Istituto di Botanica dell'Universita di Ferrara, Italy; Electron microscopy of Microsporum cookei after 'in vitro' treatment with protoanemonin: a combined SEM and TEM study; Mycopathologia. 1989 Oct;108(1):37-46; PMID: 2615800 [PubMed-indexed for MEDLINE].
	5OD	MARTIN, ML.; Departamento de Fisiologia y Farmacologia, Universidad de Salamanca, Spain; In vitro study of protoanemonin, an antifungal agent; Planta Med., 1990 Feb 56(1):66-9; PMID: 2356244 [PubMed-indexed for MEDLINE].
	6OD	MARES et al.; Department of Biology, Section of Botany, University of Ferrara, Italy, Institute of Medical Genetics, University of Ferrara, Italy; PROTOANEMONIN-INDUCED CYTOTOXIC EFFECTS IN EUGLA GRACILIS; Accepted 21 May 1997.; Available online 26 April 2002.
	7OD	The Merck Index; An Encyclopedia of Chemicals, Drugs, and Biologicals; Twelfth Edition; pgs. 108 & 1356; MERCK & CO., 1996.
	8OD	
	9OD	
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	12OD	
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FORM PTO-1449 Modified  
Documents Cited by Applicant

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Group:1751  
Applicant:ONEIL  
Docket No.:ONEIL-0002US

Examiner Initial	Item No.	Foreign Patent Document No.	Date	Country	Translation (Yes/No)
	1F	759,999	October 24, 1956	Great Britain	
	2F	1 088 047	September 1, 1960	Germany	No
	3F				
	4F				
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	6F				
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